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# The Role of Political and Social Movements on Women's Entry into the Legal Profession in Maryland (1902-1918)

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### Recommended Citation

The Role of Political and Social Movements on Women's Entry into the Legal Profession in Maryland (1902-1918), in FINDING JUSTICE: A HISTORY OF WOMEN LAWYERS IN MARYLAND SINCE 1642 (Lynne A. Battaglia ed., 2015).

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# Finding Justice

A History of Women Lawyers in Maryland  
since 1642

*Edited by the Honorable Lynne A. Battaglia*

*Lynne A. Battaglia*

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GEORGE F. THOMPSON PUBLISHING

in association with the

Maryland Women's Bar Association Foundation  
and University of Baltimore Foundation  
and distributed by the University of Virginia Press

*Julie R. Rubin*

*Diane O. Leasure*

*All the best!  
Merrin*

## CHAPTER THREE:

# The Role of Political and Social Movements on Women's Entry into the Legal Profession in Maryland, 1902–1920

Jane C. Murphy

## Introduction

**T**he rise of women in the legal profession in Maryland was shaped by a wide range of factors, including national, state, and local political and social movements. As one scholar has noted, “[W]omen’s lives are complex and... region, period, personality, and circumstance crucially influence what a subject is able to make of herself.”<sup>1</sup> In this chapter, I explore how those circumstances—personal and political—influenced the first group of eight women admitted to the Maryland Bar between 1902 and 1920. These women—Etta Maddox, Anna Grace Kennedy, Emilie Doetsch, Marie Elizabeth Kirk Coles, Mary Virginia Meushaw, Helen F. Hill, Emily Dashiell, and Grace Gerber—constituted the “first wave” of women admittees (see Appendix A).<sup>2</sup> They were admitted in a period that spanned the turn of the twentieth century through the end of World War I and corresponded with the reform movements of the Progressive Era in the United States.

The stories of these women are linked with the broader story of these movements, which brought together a coalition of business leaders, philanthropists, social workers, and lawyers who sought to reform

government and change and broaden its role. The story of Etta Maddox, told in the previous chapter, demonstrates that the circumstances leading to a woman’s decision to become a lawyer during this era and the struggles that followed are complex and, in many ways, unique. But each of these women’s stories have common elements, and all were shaped by the Progressive Era in Maryland.

The Progressive Era began as a response to the social dislocation that occurred in Baltimore and urban areas around the nation, as people moved from rural to urban areas and new waves of immigrants settled in America’s cities at the end of the nineteenth century. Along with the larger population, Baltimore experienced increased crime, poverty, and family dysfunction. Progressives believed that the government, if honest and efficient, could be a force for positive social change to respond to these problems. They formed coalitions to improve the fairness of elections and expose political corruption. Wanting to participate in elections and in a government no longer limited by massive corruption, many of the first women, particularly Etta Maddox, and Emilie Doetsch, worked to obtain women’s right to vote.<sup>3</sup> Emily Dashiell became involved in government and

the political process by working to change laws to provide greater protection for women and children.<sup>4</sup> Others, such as Anna Grace Kennedy and Helen Hill, moved from the private to public sphere by engaging in philanthropy to improve health care or education.<sup>5</sup>

After briefly summarizing the national context for the Progressive Era, I examine how this period unfolded in Maryland and the ways in which these and related movements influenced this first group of eight women admitted to the Maryland Bar during this period. What role did the Progressive Era movements and the women who were involved in them play in encouraging this group to seek admission to the Bar? How did the social and political environment affect post-admission career choices for these pioneers?

By exploring the conditions that gave rise to Maryland's first women lawyers, this chapter will also continue the discussion from Chapter Two about why Maryland was among the later states to admit women to the Bar. The jurisprudence and changing statutory landscape tell part of the story, but the legal reforms did not occur in a vacuum. The broader social and political context provides a greater understanding about why Maryland lagged behind other states in both the removal of barriers and the numbers of women admitted following that removal.

A number of social historians have lamented the lack of scholarship examining the social conditions that provided the context for the entry of women into the professions.<sup>6</sup> Others have encouraged scholars to challenge the traditional approach of analyzing legal doctrines to chart the course of women's rise in the legal profession and instead examine "the omitted stories of ordinary people, and in particular, the experiences of women, to make sense of the meanings of social and legal patterns in the lives of people affected by them and, in turn, creating or resisting them."<sup>7</sup> In this chapter, I seek to fill that gap and meet that challenge for one group of women lawyers in Maryland.

## The Rise of the Progressive Era in the U.S. and Maryland

### *The National Movement*

At the end of the Civil War in 1865, the U.S. population was still largely rural and the economy largely agricultural. By the 1890s, the nation was profoundly altered. Although the present geographic boundaries of the country were established by purchases made by the mid-nineteenth century, the population doubled between 1860 and 1890.<sup>8</sup> The growth was particularly rapid in urban areas such as Baltimore. While only twenty-one cities had populations of more than 50,000 in 1870, that number had increased to forty-four cities by 1890, with the ten most populous American cities containing 250,000 to 1,000,000 people.<sup>9</sup> Baltimore, in 1890, ranked seventh with 434,439 people, ahead of San Francisco at eighth and behind Boston at sixth. This population growth, particularly in the cities, was fueled by a new wave of immigrants coming to the U.S. from southern and eastern Europe, particularly Italians, Poles, and Russians. Beginning about 1910, the so-called "Great Migration" of African Americans from the rural South



*"Lunch counter, signs in different languages.  
Immigrants at Locust Point."*

*Photographer and date unknown.  
Courtesy of the Maryland Historical Society.*



*"A street full of Baltimore immigrants lined up and ready to start for the country to the berry farms. Wolfe Street, near Canton Avenue, Baltimore, Maryland."*

*Photograph attributed to Lewis Wickes Hine, 1910.  
Courtesy of the Library of Congress and the  
Maryland Child Labor Committee.*



*Detail of "Delegation of Maryland Women at Capitol on Prohibition Hearing, 1926."*

*Photograph attributed to the National Photo Company.  
Courtesy of the Library of Congress.*

to the Northern cities added to the growth and diversity of American cities during this period.<sup>10</sup>

This move to the cities was prompted, in large part, by the changing economy.<sup>11</sup> One historian described the American economic growth between 1860 and 1890 as "rapid, dramatic, and unprecedented," making the U.S. an "industrial giant."<sup>12</sup> With this transformation came a wide array of social problems. While the growing economy had raised the standard of living for many Americans, the gap between the rich and the poor became greater and more visible during this period. Journalists and others began to expose the dismal living conditions of poor, unskilled factory workers, and their families in urban areas.<sup>13</sup> Poor housing in urban tenements, high infant mortality and disease, and bad working conditions were straining the limited public and private services of that time. State and local governments, largely controlled by party bosses who ran political machines, were unable to effectively respond. The Progressive Movement brought together a range of people from the spheres of business, politics, and social welfare who shared a

common interest in reforming government so that it could address these social problems.

Women played a central role in many of the Progressive Era's movements. The public leadership roles many women assumed were considered by many to be a departure from the more private role of women throughout the nineteenth century, when the roles of men and women were sharply divided. As noted in Chapter One, the ideology of "separate spheres" was reflected in both legal and social norms.<sup>14</sup> It emphasized the separation of work and home and assigned clearly differentiated roles to women and men; men occupied the public realm of work and politics, while women were the central actors in the private domain of home and family.<sup>15</sup> But women's extensive volunteer work during the nineteenth century began their transition from private actors to public leaders in service to their families and the less fortunate in their communities. As two historians described it, "[t]he history of American philanthropy is largely the story of networks of women volunteers who were the mainstay of urban reform and charity as early as 1850."<sup>16</sup>

The Progressive Era triggered a new energy and focus to this charitable work. Women's clubs and local organizations joined together, and many began to focus on causes such as child labor, health care, education, creating courts for children, curbing the consumption of alcohol, improving race relations, and securing the right to vote for women. White middle-class women joined with working women to form national organizations focused on these causes, including the General Federation of Women's Clubs, the Women's Christian Temperance Movement, the National Consumers League, and the National American Women's Suffrage Association.<sup>17</sup> African American women, who had separate women's clubs during this time, joined together in 1896 to form the National Association of Colored Women's Clubs, under the leadership of Mary Church Terrell.<sup>18</sup> Other African American Progressive-Era organizations founded by women include the National Council of Negro Women and National League for the Protection of Colored Women. White and African American women worked together to help form other national organizations during the Progressive Era, including the National Association for the Advancement of Colored People (NAACP) in 1909.<sup>19</sup> All of these opportunities to promote important causes as part of these largely female clubs and organizations laid the groundwork for women's increasing role in the public sphere.

Prominent "first-wave" feminists such as Jane Addams in Chicago and Lillian Wald in New York City joined with other women and men to form organizations designed primarily to serve poor communities rather than advance political causes. These organizations, called Settlement Houses, were housed in large buildings located in the crowded immigrant neighborhoods of industrial cities. They provided the community's residents with services such as classes in English and other subjects for women and children, day care, libraries, and other resources intended to mitigate the impact of poverty on families. The Settlement Houses, in which more than seventy-five percent of the workers



*"Women at Lexington Market, Baltimore, 1850-1910."*

*Courtesy of the Library of Congress.*

were women, also functioned as sites for research and advocacy. Workers documented the problems of the poor they served and used the data they collected to advocate for social change, with "residence, research, and reform... the 3R's of the Movement."<sup>20</sup>

The Progressive Reform agenda, then, included a number of initiatives led by women and aimed at improving the lives of children, women, and families. The women who joined the movements from the charitable organizations were primarily middle- and upper-middle-class women, many of whom had attended college.<sup>21</sup> While most were white, some African American women were also influential in the movement, despite the intense racism of the time.<sup>22</sup> Most of these women were homemakers or philanthropists, but some were engaged in paid work. While most of these women held unskilled jobs, some were teachers or nurses, and, later, librarians and social workers—professions which began almost exclusively with women in the mid- to late-nineteenth century.<sup>23</sup> The opportunities for women in the male-dominated professions—the practice of medicine, engineering, and, particularly, law—were limited, but advances were made in the period leading up to the Progressive Era.



As a result of all of these circumstances as well as the efforts of numerous nineteenth-century women who pushed the issue through courts and legislatures, women began to gain formal entry to the Bar in the late 1860s.<sup>24</sup> By 1895, thirty-five of the forty-eight states, in addition to the District of Columbia and the territory of Hawaii, were admitting women to the Bar.<sup>25</sup> By 1897, there were 300 women lawyers in the U.S., causing one British commentator to remark, "the lady lawyer [in the U.S.] meets us here, there and everywhere."<sup>26</sup>

Even as the late-nineteenth century brought with it the political and social conditions needed to lift the formal barriers to women's entry into the legal profession in many jurisdictions, it was not until the two decades of the Progressive Era that women were admitted to the Bar in significant numbers.<sup>27</sup> This occurred when both the political events of the time and the "professionalization" of law changed and expanded the practice of law. Pressure to raise and improve the standards for entry into the professions, including law, stemmed from the same concerns that fueled much of the reform of the era—corruption and inefficiencies in government, particularly in judges and others interpreting the law throughout the nation. In addition, the complexity of the new industrialized economy and its attendant social problems created the need for more formal and comprehensive legal education. As a result, training for the practice of law moved from apprenticeships in law offices to colleges and universities.<sup>28</sup>

While many universities and law schools did not admit women, those that did gave women an entrée into the profession that did not rely on their having a father or husband willing to apprentice them. Lawyers and judges also formed professional organizations to regulate the profession through ethical rules and continuing education.<sup>29</sup> This "cleaning up" of the profession may have also enhanced its attractiveness to women put off by the cronyism and frequent ethical breaches of the old system.<sup>30</sup> At the same time, the

potential for the law and courts to improve the lives of families was expanded through the Progressive Era's movements. These movements—including the Settlement House Movement, Juvenile Court Movement, Temperance Movement, and Women's Suffrage Movement—often involved the same activists and had goals that reinforced one another. Many of the priorities and successes of the movement—child labor laws, clean water, compulsory public education, and public support for single heads of households—also reflected the concerns of women and families. A number of scholars have commented on the way in which women's volunteer work in these organizations and earlier charitable organizations laid the foundation for a more public role for women in the legal profession. Contrasting the actual experiences of nineteenth-century women with the narrow conception of women found in Justice Bradley's concurrence in *Bradwell v. Illinois*, Martha Minow makes a broader point about the connections of women's role as family members, their involvement in volunteer work, and their movement into the legal profession:<sup>31</sup>

[V]olunteer activities by women in benevolent and reform associations during the 19th century built upon conceptions of women's domestic roles as women claimed expertise in public virtue and exported a conception of family norms to the public realm. These volunteer activities also drew women into positions of political influence beyond their traditional sphere, and from those positions, women challenged historical limits on their rights while also preserving aspects of their traditional roles. In leaving their traditional sphere women did not abandon their family roles, nor did they adopt autonomous individualism. Instead, women in effect created a shadow government of social services animated by norms of caretaking. Some women also sought to redefine the role of law to encompass collective responsibility for vulnerable members of the community.<sup>32</sup>

The range of groups that worked together during the Progressive Era approached the task of government reform with a variety of political goals.<sup>33</sup> But many women were drawn to the cause because of the importance of these issues to the well-being of families and because they believed “an investment in [children’s] human capital [is] a legitimate and important function of government.”<sup>34</sup> Law, in the form of new legislation and new models for courts, had become an important vehicle for social change to improve family life and respond to increasingly important social issues like conditions for women and children in the nation’s growing industrial base. Women were drawn to this new vision of the law as a “helping profession.”<sup>35</sup> As one late-nineteenth-century female law student at the University of Michigan declared, “There is something besides law to be studied. It is human justice.”<sup>36</sup>

### *The Progressive Era in Maryland*

While the entire nation experienced a period of dislocation and trauma at the end of the Civil War, Maryland’s position as a border state made the effort to rebuild more difficult and complex. As one historian described it, “Marylanders both championed liberty and relied on slavery. They welcomed opportunity yet clung to tradition. In weighing the benefits of individual liberty and local liberty against those of moral experiment and the power of central government, citizens of this oldest border state have divided more than once.”<sup>37</sup> In post-war Maryland, former slaves and other African Americans experienced better conditions than those in living the South. But many Marylanders resisted efforts to promote public education, access to the professions and trades, and granting the right to vote for African American males.<sup>38</sup>

The passage of the Fifteenth Amendment to the U.S. Constitution by two-thirds of the states in 1870 guaranteed, in theory, the right to vote for African American males in Maryland. But Maryland was among the states that failed to ratify the Fifteenth Amendment, a

fact which reflected the state’s lingering resistance to granting full equality to African Americans, including the right to vote.<sup>39</sup> Other conditions contributed to the troubled social and political environment in late-nineteenth-century Maryland. Divisions between the poor and the rich became deeper as economic conditions worsened in Maryland during the 1870s and 1880s; these divisions were manifested in labor disputes throughout the state, particularly in the mining and railroad industries.<sup>40</sup> Women, children, freed slaves, and, later, the European immigrants changed the composition of the working class, as businesses replaced skilled labor with low-wage, unskilled workers.<sup>41</sup> Both urban and rural areas lacked underground sewer systems or sewage treatment facilities. Diseases such as typhoid fever, diphtheria, and small pox resulted from unhealthy drinking water and spread quickly in the overcrowded living and working conditions of the urban poor.<sup>42</sup> Deaths from these diseases were common throughout the state, particularly in areas with the larger populations such as Cumberland, Frederick, and Baltimore. Ineffective municipal services also led to major fires in densely built areas like Baltimore.<sup>43</sup> From the miners in western Maryland to the watermen on the Eastern Shore, to the factory workers in Baltimore, poor living and working conditions and low wages added to the general atmosphere of unrest.

Thus, as the twentieth century dawned in Maryland, the problem that spurred national reform efforts—namely, corrupt governments unable to respond to the growing needs of their citizens—existed throughout the state. But as the state’s population moved from rural to urban areas, Baltimore became the financial, political, and social center of the state. Like other major American cities at that time, it had experienced a dramatic increase in population during the last decades leading to the new century. From 1870 to 1900, Baltimore’s population increased from 250,000 to 500,000 people.<sup>44</sup> This population growth was fueled by immigrants from, among other places, Central, Eastern, and Southern Europe, and also by African





*Jones Falls from Federal Hil, 1903.*

*Photographer unknown.  
Courtesy of the Maryland State Archives.*



*Covered Bridge over Jones Falls.*

*Photographer and date unknown.  
Courtesy of the Maryland State Archives.*

American freed slaves from other parts of Maryland and the South. By 1900, almost half the state's population lived in Baltimore, and the city's citizens provided more than half the state's tax revenue.<sup>45</sup>

Baltimore was also center of both the problems and the reform efforts that followed. Along with population growth, Baltimore, like many other American cities, was experiencing rapid industrialization. For example, picnic grounds at Sparrows Point were transformed by the construction of "four blast furnaces, a rail mill, and other assorted plants, piers and rail yards."<sup>46</sup> As the economy shifted from farming to manufacturing, the new workers needed housing, health care, schools, and other public services. While life was quite pleasant for those with financial resources, new social problems emerged for the working class. These included long work hours, dangerous conditions in the workplace, children working instead of attending school, and rampant discrimination based on national origin, race, and religion. One reporter's description of a neighborhood in East Baltimore, during the 1880s and 1890s, reflects both the poor living conditions immigrants experienced and the negative assumptions made about them in the community:

A crowded place of tenement houses, saloons, filthy shops, foul odors, hideous noises.... Trees, flowers, lawns...gardens were sorely lacking.... They crowd into tenement houses, eat unwholesome food, breathe impure air, shun water and despise soap. Their children are covered with several layers of dirt. The women go unkempt, the men unwashed.<sup>47</sup>

The so-called Gorman-Rasin political "machine" ran Baltimore during this time. Isaac Freeman Rasin, officially the clerk of the Court of Common Pleas, became the "boss" of the state's Democratic organization during the 1870s and 1880s and ruled Baltimore. The Democratic party of post-Civil War Maryland was largely made up of conservatives who had favored the South during the Civil War.<sup>48</sup> Rasin joined forces with Arthur Gorman, a U.S. Senator from Maryland, in 1870. Gorman controlled the Maryland General Assembly, which meant the two men "established themselves as the foremost political powers in Maryland."<sup>49</sup> The governments created by this political structure were not prepared to address the new needs of the city's population. As one historian described it:

Police and fire protection, good roads, adequate schools, and pure water could not keep pace with the expanding population. New services were needed but not provided. The lack of a sanitary sewage system was a prime example. Housing was another. The poor migrant to the city... frequently could not afford even the cheapest of row houses and had to settle for renting a few rooms in the crowded, dirty tenements of the slums.<sup>50</sup>

Courts were among the institutions diminished by inefficiency and corruption. Judicial elections were often controlled by the "machine," resulting in the selection of "tainted" judges.<sup>51</sup> Court staff, with political boss Isaac Rasin at the center, used their positions to extend both favors and punishment.<sup>52</sup> One lawyer described the Baltimore Criminal Court of the late 1870s as "a sink of iniquity into which no honest man enters without a shudder and from which no scoundrel emerges without a triumph."<sup>53</sup> The lawyers who practiced in these courts, trained largely before law schools were established and during a time when they were not subject to ethical codes or regulation, were also subject to criticism about both their competence and their conduct. Chief Judge James McSherry of the Court of Appeals, Maryland's highest court, described the Maryland Bar at the end of the nineteenth century as overcrowded with "utterly incompetent and unworthy practitioners."<sup>54</sup> Interestingly, just five years later, this same judge would author the opinion, as discussed in Chapter Two, which denied Etta Maddox admission to the Bar.

This political corruption and the ineffective governmental response to the social problems from population growth and industrialization triggered calls for both private action to address the problems and political reform to make government more effective. These calls came from a variety of groups in Maryland, but women played a central role from the start.<sup>55</sup> As one commentator on this era in Maryland noted, "Never before had Maryland women played such an active and effective

public role."<sup>56</sup> Women benefitted from the opportunities for higher education in Maryland provided by the colleges established for women during the nineteenth century (including Rev. John F. Goucher Woman's College, the College of Notre Dame, as well as early co-educational universities such as Johns Hopkins) and expanded their domestic roles to include political and social reform.<sup>57</sup> During the 1890s and the early-twentieth century, women played leading roles in groups such as the Baltimore Charity Organization Society, the Arundell Good Government Club, and Maryland Federation of Women's Clubs (MFWC)—that were advocating for changes in the law which would improve the lives of poor women and families.<sup>58</sup> For example, the MFWC "built a network of women whose concerns ranged from the slop of oyster-packing houses to the dangers children faced in George's Creek coal mines."<sup>59</sup> Led by women such as Mary Richmond, a pioneer in the field of social work, the Baltimore Charity Organization was among the organizations that successfully advocated for juvenile courts and compulsory education in Baltimore.<sup>60</sup> During this time, women also founded the Baltimore chapters of two other organizations that advanced the causes of protecting family health and well-being: the Children's Playground Association and the National Consumers League.<sup>61</sup>

Working with local churches and synagogues, women were also active in the aforementioned Settlement House Movement, where classes and legal clinics were organized to help communities improve and prosper.<sup>62</sup> One of these women, Henrietta Szold, the daughter of a Hungarian immigrant rabbi, established evening classes so immigrants could learn English and other skills, thus becoming a "pioneer in establishing a self-help program that was later adopted by cities throughout the country."<sup>63</sup> As was true of other women throughout America, this volunteer work "drew [Maryland] women into positions of political influence beyond their traditional sphere."<sup>64</sup>

Finally, many of the leading women activists of the Progressive Era in Maryland were members of

organizations fighting for two causes: the fight for Prohibition and the fight for women's right to vote. These movements, both nationally and in Maryland, often drew on the same women to lead their organizations.<sup>65</sup> Nationally, Elizabeth Cady Stanton and Susan B. Anthony were early leaders of both temperance and women's suffrage groups.<sup>66</sup> In Maryland, many of the women who fought for the right to vote were also members of the Maryland chapter of the Women's Christian Temperance Movement (WCTU).<sup>67</sup>

The Temperance Movement brought together those urging abstention from liquor with a wide range of religious, social, and political motivations. Before the Civil War, temperance groups had promoted voluntary abstinence but the societal changes brought by industrialization, immigration, and the rapid expansion of cities with all its attendant ills spurred a call for legal prohibition. While the WCTU was "loosely hinged on abstention from alcohol, [it] raised a variety of concerns, including domestic violence, social reform, and political empowerment."<sup>68</sup> Seeing alcohol use as a major contributor to poverty, family violence, and sexual assault, particularly in the growing cities of the early-twentieth century, many women saw prohibition as a way to strengthen the family.<sup>69</sup>

Many women in the WCTU viewed acquiring the vote as a means to garner support for Prohibition as well as other Progressive Era causes such as child labor, compulsory school laws, and broader opportunities in higher and professional education for women.<sup>70</sup> Both movements attracted a wide range of women, including many wealthy, socially prominent women and professional women from medicine, academia, and, later, the law. While groups such as the Equal Suffrage League, the Maryland chapter of the Women's Suffrage Association, and the Maryland WCTU clashed over goals and tactics, these organizations and these causes were particularly important in moving Maryland women into public leadership positions and linking them with like-minded women around the nation.<sup>71</sup>

## **The Pioneers: The First Women Admitted to the Maryland Bar**

### ***The Barriers to Admission before 1902***

At the beginning of the Progressive Era, around 1890, Maryland was among the fifteen states or U.S. territories that still did not admit women to the Bar.<sup>72</sup> In order to appreciate fully the challenges and accomplishments of this first group of women, it is important to analyze both why Maryland lagged behind most of the rest of America in lifting the barriers to law practice and the changes that finally led to the admission of the first woman, Etta Maddox, in 1902.

Many factors contributed to Maryland's delay in admitting women to the Bar.<sup>73</sup> At the turn of the twentieth century, most states in the South still prevented women from practicing law.<sup>74</sup> Rigid gender roles, which placed women in the private domestic sphere, were particularly strong in the post-Civil War South.<sup>75</sup> Maryland's position as a border state increased the cultural and political similarities with its neighbors to the South. Many of Maryland's politicians and judges embraced this traditional view of women and believed that women were best served when they were kept "out of the often-dirty business of politics" and related fields.<sup>76</sup> This view of women is reflected in the fact that, despite the consistent work of women in several organizations over almost two decades, Maryland never passed its own women's suffrage bill and failed to ratify the Nineteenth Amendment until 1941.

Perhaps more significantly, many Marylanders, particularly those in Baltimore's Democratic Party and those in the rural areas on the Eastern Shore and southern Maryland where the African American population was among the highest in the state, feared the dominance of the black (male) vote. Indeed, Maryland was among the few states which had not ratified the Fifteenth Amendment when it became law in 1870.<sup>77</sup> Despite the ultimate defeat of the political machine and

the old Democratic Party, the machine worked hard to limit the power of the black vote, and discrimination against blacks remained strong in Maryland through the late-nineteenth and early-twentieth centuries. When the Progressives began to win elections and seriously challenge the existing political order during the 1890s, the Rasin-Gorman machine stepped up its efforts to enact legislation aimed at disenfranchising African Americans.<sup>78</sup> These efforts culminated in a proposed constitutional amendment in 1901 that would "require all voters except those whose grandfathers had voted to pass a test on the U.S. Constitution," a requirement that would exempt all white voters and prevent most blacks from voting.<sup>79</sup> Although the so-called Poe amendment was defeated by Maryland's voters each of the three times it appeared on the ballot, the successful campaign to defeat this and other similar tactics involved a substantial effort over a number of years.<sup>80</sup>

This fear of the black vote worked against the advancement of women's legal rights in several ways. Those who saw the newly enfranchised black men as a political threat predicted that giving women the vote would only lead to more voting against their special interests. As a result, they fought women's suffrage and other gender equality efforts.<sup>81</sup> In addition, those who might have joined the fight for women's equality were preoccupied with protecting the right of African American males to vote.<sup>82</sup>

Another factor undermining the political power of those favoring women's equality was Baltimore's limited power in Maryland's legislature at the turn of the twentieth century. Baltimore, the center of the fight for women's rights and other reform initiatives, was severely underrepresented in the General Assembly. Despite having almost half the state's population and producing more than half the state's tax revenue, Baltimore had only eighteen of the state's ninety-one delegates and only three of the state's twenty-six senators.<sup>83</sup> As a result, the reform initiatives that usually came from Baltimore often suffered defeat in the Legislature. Indeed, Maryland failed to ratify the Constitutional

amendments that embodied two of the major causes of the Progressive Era reform—Prohibition and women's right to vote. Historians have concluded that, even at the height of the Progressive Era, Maryland never had the coalition to fully enact the social and political reforms of the Progressive Era.<sup>84</sup>

Finally, there was a correlation between the jurisdictions that provided opportunities for legal education for women and the bar admission rates for women that helps explain why Maryland was late in admitting women. Jurisdictions with law schools that admitted women generally broke down barriers to female admission before those where legal education opportunities were more limited or non-existent for women.<sup>85</sup> For example, the District of Columbia, although clearly influenced by the culture and social norms of the South that re-enforced women's traditional roles, was among the first jurisdictions to admit women, admitting its first woman, Charlotte Ray, in 1872.<sup>86</sup> By 1920, only California, Illinois, and New York had more women practicing law in their states than did the District of Columbia.<sup>87</sup> Although Howard University's Law School in the District educated Charlotte Ray, it was the presence of the Washington College of Law, founded in 1898 and the first law school founded for women, that facilitated both the early admission of women and the relatively high numbers of women admitted to the Bar in the District.<sup>88</sup> Not only was Washington College focused on supporting its female students, but it was among the few law schools where the administrators and faculty were primarily female. In the other jurisdictions that were among the first to admit women and did so in relatively high numbers, legal education was also open to women.<sup>89</sup>

By contrast, the University of Maryland School of Law did not admit women until 1920. A second law school in Maryland, the Baltimore Law School, admitted women, but only for a short time from 1900 to 1907. A third law school, Baltimore University Law School, founded in 1890, admitted one woman, Catherine Hunckel. She became the first woman to graduate from a Maryland law school but was never



admitted to practice. She attended law school with her husband, Otto, and never applied to take the Maryland Bar. The Baltimore University Law School was later merged into the Baltimore Law School, which, in turn, was merged into the University of Maryland.<sup>90</sup> Notably, only five of the first eight admittees were able to attend law school in Maryland.<sup>91</sup>

Despite these obstacles, the legal profession opened to women in Maryland in 1902, when Etta Maddox succeeded in persuading the General Assembly to amend the statute governing admission to the Bar.<sup>92</sup> Her admission was followed by the admission of seven other women over the next two decades (see Appendix A). A brief look at the lives of these women provides insights into what might have motivated this "first wave" of female lawyers and what sustained them through the isolation and discrimination they endured. These eight women had a number of circumstances in common. Some of these circumstances reflect the limitations on women's opportunities during the early twentieth century, while others reflect the improved environment for women's leadership and emerging public role that also existed at that time.

### ***The First Wave: Common Ground***

#### **Socio-Economic Status**

As was true of most women with access to higher education during the early twentieth century, most of the first eight female admittees came from well-to-

#### **WOMEN STUDENTS BARRED.**

**They Had Captured All the Prizes at  
Baltimore Law School.**

*Special to The Washington Post.*

Baltimore, Md., Sept. 28.—The Baltimore Law School, the only one in this city which has ever admitted women to its classes, has decided to exclude them hereafter.

Judge Alfred S. Niles, the dean of the faculty of the law school, said to-day:

"Neither of the other law schools in the city has ever admitted women, and it seemed to us that it would be better to conform to the general custom in this matter."

It is rumored that the action of the faculty was taken in response to a petition from the masculine students asking that women be excluded. The reason for this petition no one is willing to state.

The woman graduates of the Baltimore Law School are Miss Etta Maddox, Miss A. Grace Kennedy, Miss Emilie A. Doetsch, and Miss Marie E. K. Coles. Miss Kennedy took every prize that could be taken in her class. Miss Doetsch took the prize for scholarship in hers, and Miss Coles took an honorable mention. Miss Maddox was a distinguished student, and also has the honor of being the first woman admitted to the bar in the State.

***"Women Students Barred. They  
Had Captured All the Prizes at  
Baltimore Law School."***

*The Washington Post,  
September 27, 1907.*

do families.<sup>93</sup> Etta Maddox's family has been described as "middle to upper class."<sup>94</sup> While little is known of her mother, both of Etta's parents were believed to be descended from American colonists.<sup>95</sup> Her father's position as a Baltimore City Magistrate has been described as one "that likely would have provided the family with significant wealth and prestige; the family lived in areas of Baltimore that were considered 'extremely fashionable.'"<sup>96</sup> Her fellow legal pioneer, Emilie Doetsch, was also from Baltimore, one of five children born to Louis J. Doetsch and Johanna Pohl Doetsch.<sup>97</sup> She attended a private German church-affiliated school, the Zion School.<sup>98</sup> Louis Doetsch was a lithographer with a successful business and was able to send all five of his children to college, a significant and unusual

achievement in the early twentieth century. Correspondence from Emilie to college friends, when she was in her thirties and after her father's death, describes trips to Europe that she, her mother, or her sisters enjoyed, suggesting that the family enjoyed a comfortable financial position.<sup>99</sup>

While nothing is known about Helen Hill's parents, her brother was also educated as a lawyer and was admitted to practice.<sup>100</sup> She also attended a private law school, enrolling at the age of seventeen, an age at which she was unlikely to have funded her education on her own.<sup>101</sup> Grace Gerber and her younger brother, Samuel Gerber, also had the opportunity to attend professional school. In fact, following his graduation and successful political and medical career as the coroner for Cleveland, Ohio, Samuel Gerber went to law school and was admitted to the Bar.<sup>102</sup> Census records reveal that these ambitious siblings came from

a family with eight children. Their parents, Julius and Bessie Gerber, were Russian immigrants who were clearly in a position to encourage their children to leave the state and go “west” for, in Grace’s case, educational opportunities unavailable to her in Maryland.<sup>103</sup>

Emily Dashiell was born to a large family of five girls and was identified in her obituary as a “descendant of a French Huguenot who settled in Somerset County in the 1660.”<sup>104</sup> While her family was originally from Somerset County, her parents, Charles and Elizabeth Dashiell, moved the family to Baltimore, where Charles Dashiell was a long-time city editor of *The Baltimore Sun*.<sup>105</sup> Although her father died when she was in her teen years, the family is likely to have had resources to educate Emily.<sup>106</sup> While not wealthy, the extended Dashiell family appears to have been a prominent Maryland family, owning property in Princess Anne County and other areas on the Eastern Shore.<sup>107</sup>

There is little known about the economic circumstances of Mary Meushaw or Marie Kirk Coles. Census records show that Marie Coles lived in Baltimore City with a group of women that included her mother, her sister, her mother’s sister, and another woman unrelated to them. Her mother was an immigrant from England. Her father is not listed in the census information, suggesting that he was not a part of their household.<sup>108</sup> Anna Grace Kennedy’s parents were Irish immigrants who originally settled in West Virginia. With her father employed as a carpenter and her mother as a homemaker, it is unlikely the family was wealthy or even solidly middle class.<sup>109</sup> These circumstances make her achievement in graduating from law school and becoming the second woman admitted to the Maryland Bar even more remarkable.

#### DOETSCH, EMILIE

Emilie is a very bright child, as shown by the fact that she can both spell and pronounce her own name, D-o-e-t-s-c-h. As a child she has shown a special fondness for playing with newspapers, and when she grows up (she is now only six feet two inches) will doubtless go into work of that kind.



*Donnybrook Fair, 1904, Emilie Doetsch.*

*Courtesy of Goucher College.*

### Academic Success

Another common thread among the “first wave” is that they all had distinguished academic careers. Five of the eight first admittees were the only woman in their classes.<sup>110</sup> At best, they experienced law school without the support many women derive from other female students and faculty; at worst, they had to endure some hostility and resentment from their male colleagues and faculty.<sup>111</sup> Despite this difficult environment, they all distinguished themselves in law school with prizes and/or high grades. Five of the women—Anna Kennedy, Marie Coles, Helen Hill, Mary Meushaw, and Grace Gerber—were recognized at their undergraduate or law school graduations with valedictory or other prizes. Anna Kennedy not only won prizes for “thesis and scholarship” at her law school graduation, but *The Baltimore Sun* reported that she also received the highest score on the State Bar Examination that year.<sup>112</sup> Marie Coles was also recognized for her thesis when she graduated from Baltimore Law School.<sup>113</sup> Ranked highly among her male colleagues, Mary Meushaw was given second prize at graduation for her “excellent work” and academic achievements.<sup>114</sup>





*Helen Hill, upon her graduation from American University Washington College of Law, 1900.*

*Courtesy of American University, Washington College of Law.*

### **Decisions About Marriage and Children**

The family lives of these women suggest that the “we can have it all” philosophy, which is much debated among twenty-first-century feminists, had not yet taken hold in early-twentieth-century Maryland. Seven of these eight women never married and never had children.<sup>115</sup> Grace Gerber did marry and had one child, but the marriage ended in divorce. She married Simon Nobel Silverberg, who was also an attorney, in June 1930.<sup>116</sup> Underscoring the unusual circumstance of two attorneys marrying in 1930, *The Washington Post* reported the marriage in an article

entitled “Pair’s Romance Goes From Courts to Altar” and described Grace as “Hagerstown’s first and only woman lawyer.”<sup>117</sup> The couple had one child, a son named Seth Samuel Silverberg, who was born in 1931 or 1932.<sup>118</sup> There is little record of the circumstances surrounding the parties’ married lives and divorce. According to census records, by 1940 Grace had resumed the use of “Gerber,” no longer used the name “Silverberg,” and was living with her parents without Simon in Washington County, at a time when her son was eight years old.<sup>119</sup> Newspaper accounts of Simon Silberberg confirm that he married at least three other times, twice before his marriage to Grace and at least once after their divorce: An article announcing his marriage, in 1921, to his childhood sweetheart, Rose Caplan, describes him as having divorced six months prior to the marriage to Rose.<sup>120</sup> He then divorced Rose with some public acrimony in 1924.<sup>121</sup> Genevieve J. Silverberg is listed as Simon’s surviving spouse at his death in 1965.<sup>122</sup>

Grace and Simon’s son, Seth, went on to become a lawyer himself, being admitted to the Bar in Maryland from the Third Judicial Circuit (Baltimore County and Harford County) in October 1959.<sup>123</sup> There is little information available about his career other than his membership in the American Bar Association’s Section of Insurance, Negligence and Compensation Law, listing his office address in Baltimore and, later, in Miami, Florida.<sup>124</sup> There are no other records describing Seth’s professional or personal circumstances.

While some of the early pioneering women lawyers in other states were able to combine families and careers, only one of Maryland’s early admittees married or had children.<sup>125</sup> There is nothing in the biographical information available about these Maryland women that provides insight into their choices in this area. A national history of women lawyers, however, does provide some clues. While noting the lack of unanimity of views on whether or how to balance marriage and a career, Virginia G. Drachman suggests that many early women lawyers were unmarried by choice. They

believed that "marriage imposed too many domestic obligations on women and was incompatible with a serious career."<sup>126</sup> For others, the fact that they were single may have necessitated the need to support themselves, which, in turn, led them to the law.<sup>127</sup> Still others believed that a decision to pursue a legal career was a decision to forgo marriage and a family, because many women of the time believed men did not want to marry women "with set ways, independent character, who are able to care for themselves."<sup>128</sup>

Finally, although the legal barriers to women's practice of law were rapidly disappearing throughout America, there was little evidence of the corresponding social and political changes needed to support women's efforts to balance family life and legal careers, particularly in Southern and border states like Maryland. As a result, there were few options for child care and other support for combining motherhood and a career throughout much of the twentieth century.<sup>129</sup> Although the availability of safe and affordable child care continues to be a challenging issue well into the twenty-first century in America, it was not until the reforms of the Progressive Era that child care outside the home began to be seen as a necessary support for many parents, even where they were fit and able to care for their children when not working.<sup>130</sup>

### Participation in Progressive-Era Causes

Probably the most important shared experience that prepared and sustained Maryland's first admittees to be pioneers in the legal profession was their common involvement—both before and after their admission to the Bar—in the social and political organizations that flourished during the Progressive Era.<sup>131</sup> Etta Maddox, Emilie Doetsch, and Marie Kirk Coles were all active in the Women's Suffrage Movement before they attended law school. Etta Maddox, perhaps the most visible and active political leader of the first group of admittees, was an active member of the Maryland Suffrage Association (MSA), which she

helped found with her sister, Emma Maddox Funck, in 1894.<sup>132</sup> While primarily focused on gaining the right to vote for women, the MSA was also focused on a variety of women and children's causes including fair labor laws, equal pay for women, compulsory education, and the appointment of women to important governmental and political bodies. This work honed Maddox's leadership skills and brought her into contact with women leaders from around the nation. One of Maddox's biographers suggests that "it seems likely that Etta's fellow suffragists encouraged her to attend law school from the very beginning, and may have been a significant factor in her decision to do so."<sup>133</sup> The support of the MSA for Maddox's decision to attend law school is evidenced by their awarding her a medal upon graduation, commemorating her status as "The First Woman Lawyer in Maryland."<sup>134</sup>

After she secured the right to be admitted for herself and all other women in Maryland, she continued to work on causes related to the advancement of women, particularly the right to vote. She was also a regular speaker before the Women's Christian Temperance Movement, supporting the issues common to the two groups, including suffrage.<sup>135</sup> After the right to vote was secured, the Maryland Suffrage Association became the Women's Democratic Club of Baltimore, and Maddox continued to be an active member, working to affect social change on issues such as the effort to improve schools and abolish capital punishment and child labor.<sup>136</sup> She was also a leading voice for family law reform and an early voice for the establishment of a separate family court, a movement that grew out of the Progressive Era's Juvenile Court effort.<sup>137</sup> She also worked with other early female admittees to reform Maryland's marriage and divorce laws.<sup>138</sup>

Emilie Doetsch contributed to the Women's Suffrage Movement, describing herself as an "ardent suffragist."<sup>139</sup> Filing daily stories for *The Baltimore News*, she participated in the women's suffrage march from New York City to Washington in February 1913.<sup>140</sup> As she described it:



"Suffragette Parade—Washington Street, Easton, Md."

Photographer and date unknown.

Courtesy of the Talbot County Historical Society.



"Suffragette Parade—Washington Street, Easton, Md."

Photographer and date unknown.

Courtesy of the Talbot County Historical Society.



Suffragist March on DC.

Photographer and date unknown. Courtesy of the Maryland State Archives.

[I] was one of Rosalie Jones "martyrs" who marched from New York to Washington in the dead of Winter to bring about the conversion of President-elect Wilson. Officially, I was a "war correspondent," but *The News* didn't ask me to walk every step of the way. I did that because I wanted to.<sup>141</sup>

Later, she served as the managing editor of *Equal Rights*, the newspaper for the National Woman's Party.<sup>142</sup> Doetsch appears to have been drawn into the law and public life by other movements of the Progressive Era. Once women achieved the vote in 1920, she was the first woman to run for the Baltimore City Council in 1923, a year that was described by *The Baltimore Sun* as "the high water mark in Baltimore women's interest in politics...turning out in masses unprecedented in any election since the passage of the equal suffrage amendment."<sup>143</sup> She ran on a platform that called for an expanded role of women in government, enlargement of the Child's Welfare Bureau, and other efforts aimed at improving the lives of women and children. Although Doetsch lost the election, she received the most votes of any candidate in her party, the Citizens Independent League.<sup>144</sup> In her correspondence to fellow Goucher College alumnae, she describes the mixed reaction of voters to a female candidate as she campaigned door to door and thanks her "sisters" and friends whose "cooperation and support" made it possible.<sup>145</sup> She concludes that, despite the loss, the campaign was worth it and notes the importance of women getting involved in politics and government:

I emerged from the combat as the 'first Baltimore woman who ran for the City Council', instead, as I had fondly hoped, being the first to 'sit' in it. Still, someone had to make the break and, even if you fail, it serves notice on the political powers-that-be that women are emerging from their old indifference and that they mean to have their share in the running of the government....

I hope, if any of the rest of you have a chance to run for public office, that you won't be scared, but will jump right in. Women are needed in politics, and college women in that respect have bigger responsibilities than others. And whatever the outcome, the experience is worth-while.<sup>146</sup>

In 1934, Doetsch applied for a seat on the new court that many view as the crowning achievement of the Progressive Era—the Juvenile Court.<sup>147</sup> Although she was endorsed by many local and national figures who wrote letters of support to then-Governor Harry Nice, she was not appointed.<sup>148</sup> She continued to advocate for women's issues throughout her life, including working for the inclusion of women on juries and the admission of girls to the city's elite high school.<sup>149</sup>

While there is no record of Emily Dashiell's political activity prior to her admission to the Bar in 1918, her work on women's and family issues while a lawyer was consistent with that of her early admittee colleagues.<sup>150</sup> She chaired a committee to create a Maryland Chapter of a Progressive-Era organization, the National Federation of Business and Professional Women. An article describing her role in this organization describes the goals of the federation as "the furtherance and protection of the interests of women in the business, professional and civic world."<sup>151</sup> She also served as Chair of Maryland's Young Women's Christian Association (YWCA), an organization started in 1876 Chicago, the center of Progressive-Era political activity, "to promote the religious, moral, and intellectual welfare of young self-supporting women."<sup>152</sup> Although the YWCA was initially an organization that engaged in religious and racial discrimination, by the 1890s it was focused on providing shelter and training to poor women and, later, men. Dashiell was also very active in the Maryland Chapter of the League of Women Voters, a national organization formed during the last meeting of the National American Woman Suffrage

Association approximately six months before the Nineteenth Amendment was ratified, giving women the right to vote. The League's history describes it as a "mighty political experiment" aimed at helping newly enfranchised women exercise their responsibilities as voters.<sup>153</sup> One newspaper reported Emily Dashiell's activities on the League's Committee on the Legal Status of Women, focusing on her work advancing the Maryland Chapter's legislative program on marriage and divorce laws.<sup>154</sup> The League's legislative agenda in family law focused on strengthening the family by criminalizing abuse against women and children, creating stronger regulation on entry into marriage, and expanding fault grounds for divorce. She was also Maryland's delegate to the League's National Committee on Uniform Laws Concerning Women, which made broad recommendations on women's rights on a range of issues, including property and family law.<sup>155</sup>

Prior to entering law school, Grace Gerber was an active member of a number of the philanthropic and charitable organizations in Maryland that provided leadership during the Progressive Era. These included membership in her local chapter of the Women's Club, Civic League, and Meridian Club.<sup>156</sup> She also held leadership positions in the Maryland branch of the League of Women Voters, attending the National Convention as a Maryland delegate in 1921.<sup>157</sup>

While there is no evidence that their efforts reached the same levels of leadership as Maddox, Doetsch, and Dashiell, Mary Meushaw and Marie Kirk Coles were also involved in the suffrage movement in Maryland.<sup>158</sup> There is also evidence that Helen Hill was involved in the movements on both a state and national level, joining with her fellow Washington College of Law alumni and other women lawyers, under the direction of Dean Ellen Spencer Mussey of Washington College of Law, in a well-publicized suffrage parade in New York City a year after her graduation from law school.<sup>159</sup>

Other evidence that the political and social climate of early-twentieth-century Maryland encouraged

more public and leadership roles for this group of women are found in their philanthropic work. Anna Grace Kennedy served as the captain of a team to raise money for Mercy Hospital in Baltimore.<sup>160</sup> Helen Hill was a tireless fundraiser for her alma mater, the Washington College of Law.<sup>161</sup> When she was elected President of the Alumni Association of Washington College of Law, one local paper declared, "There doesn't seem to be any restriction on 'woman's sphere' in the District of Columbia."<sup>162</sup> Hill also used her leadership position as a Washington College alumna to organize events focusing on the Progressive-Era causes important to women such as providing welfare programs to assist dependent mothers.<sup>163</sup> She also used her position to inspire and welcome "the young women graduates" of the Washington College of Law who followed her.<sup>164</sup> Similarly, Emilie Doetsch was on the Board of Directors of the Alumni Association of Goucher College and used the position to urge, among other goals, the appointment of "Goucher Women" to important state commissions and boards as part of an overall strategy in which "women must stand behind women."<sup>165</sup>

Finally, that these women supported and socialized with one another and other women in Maryland's Progressive reform movement lends support to the idea that they shared common political and social interests and drew support from the associations made in their progressive causes. For example, Emilie Doetsch and Anna Grace Kennedy were reported as attending a law school graduation party celebrating Marie Elizabeth Kirk Coles that was held by Coles's sister.<sup>166</sup> On a more practical level, Doetsch also found support from leading Progressives such as Anna Corkran and Mrs. Donald Hooker, who supported Doetsch, respectively, in her efforts to become the first woman elected to the Baltimore City Council and to become appointed to the Juvenile Court bench.<sup>167</sup> Emily Dashiell and Grace Gerber also worked together with the Committee on Uniformity of Laws Concerning Women to promote and solve

such issues as fairness in divorce laws and pensions for working mothers.<sup>168</sup>

This review of the activities of these women in both the traditional philanthropic and charitable clubs of the nineteenth-century and the more political organizations of the Progressive Era reveals two important insights about the timing and the motivation of this first group of Maryland women lawyers. First, this organizational work helped groom some of these women for leadership. It also exposed them to women from around the nation who were pursuing careers, including the law. While only one of the first eight of Maryland's women lawyers was married, most of them were from traditional middle- or upper-class families. Thus, but for the exposure to both the issues and the other women in these organizations, these Maryland pioneers might have settled into more sheltered lives, living with family members and assuming household and caretaking duties. Instead, they extended these caretaking values into the world through their political and charitable work.

In addition, as the ideas of the Progressive Era began to take hold—that government and law could be forces for positive social change, particularly in the lives of women and children—the law became more attractive as a profession to women like Maddox, Doetsch, and Dashiell. The role that law and lawyers could play in achieving the goals of the Maryland Suffrage Association and the other groups these women were involved in became apparent, and these women were motivated, despite numerous obstacles, to complete a legal education and gain admission to the Bar. Like the many women before them who had fought to gain bar admission in other states, "the volunteer activities also drew [these Maryland women] into positions of political influence beyond their traditional sphere, and from those positions, [these] women challenged historical limits on their rights and sought to redefine the role of law to encompass collective responsibility for vulnerable members of the community."<sup>169</sup>



### ***Opportunities after Admission to the Bar: Discrimination and Determination***

After overcoming hurdles to attend law school and pass the Maryland Bar Examination, the early female admittees shared the common experience of facing discrimination and struggling to establish a legal career. Despite their impressive and, in some cases, extraordinary academic achievements, none of the women reached great levels of achievement in the legal world, at least by traditional standards. There were no judges, law faculty, or members of large firms in the group. Indeed, there is no evidence that three of the early admittees—Anna Grace Kennedy (admitted 1906), Marie Elizabeth Kirk Coles (admitted 1907), and Mary Virginia Meushaw (admitted 1909)—ever practiced law. The remaining five did struggle to pursue legal careers either by creating their own firms or by working in governmental or law-related jobs that did not involve the practice of law.<sup>170</sup> Etta Maddox's own struggle began, of course, when she was denied admission to the Bar after graduating from law school in 1901. She then challenged the denial of admission, first in the courts and then, successfully, in the General Assembly. Following her admission to the Bar in 1902, she established her own law practice. Much of her practice was consumed with trust and estates matters related to her family's personal and business interests and family law cases for low income women, "perhaps because it was the one area where poor women—the type of client least likely to be able to afford a male lawyer—often needed a lawyer."<sup>171</sup>

Emilie Doetsch, who was admitted in 1907 but was initially unable to find a legal job, pursued her passion for progressive and women's causes as a journalist, working, among other places, as a reporter for *The Baltimore News*.<sup>172</sup> She ultimately broke barriers when she was the first woman to run for the Baltimore City Council (unsuccessfully) and the first woman to serve as an Assistant City Solicitor. Doetsch, a Republican, resisted the effort to remove her from the position

when a Democratic administration assumed power three years after her appointment. She was ultimately forced out and began a private law practice "but found the going rough during the 1930's because of the continuing prejudice against women."<sup>173</sup> In her correspondence, she describes the difficulties in establishing a law practice during the years leading up to the Great Depression and references the continuing difficulties women faced in the practice of law:

[I] opened an office with Marie Presstman, lawyer and member of the Maryland State Board of Motion Picture censors. It was a hard uphill fight, inasmuch as the depression was just setting in, and even lawyers of established reputation were feeling the pinch. I shall never cease to be amused at the irony implicit in a letter that was sent to all the women members of the bar as well as to the men by the Baltimore Bar Association asking them to contribute to a fund to aid needy lawyers, in the face of the fact that the Bar Association had never admitted women to its membership.<sup>174</sup>

Emilie ultimately gave up the practice, choosing to become the librarian for *The Washington Times-Herald* at a time when she needed the steady income to help her sister-in-law support four children after Emilie's brother's sudden death.<sup>175</sup>

Helen Hill began her career as a title examiner for the District Title Insurance Company, a position that did not require a law degree.<sup>176</sup> She also worked in government—an area that would become a common practice setting for many women over the years—first in the U.S. Court of Claims and then in the Claims Section of the Income Tax Division of the Bureau of Internal Revenue.<sup>177</sup> Emily Dashiell also worked in government and in a variety of settings which did not involve the traditional practice of law or representing individual clients. During World War I, she worked for the Edgewood Arsenal, "handl[ing] important contracts for Government supplies."<sup>178</sup> She also worked



as a law librarian for both an insurance company and a law firm. Finally, she developed the curriculum and trained those entering the surety business at Fidelity and Deposit Company.<sup>179</sup> This last position garnered some press attention, in which the reporter describes her in the classroom as "the very essence of femininity, Miss Dashiell sits efficiently in the one corner of a big room and directs her class of six men. There is just a suspicion of shyness in her manner."<sup>180</sup>

Grace Gerber, the last of this pioneering group to be admitted, also caught the attention of her fellow classmates in a similar way. According to a story in *The Baltimore Sun*, as the youngest of three women in her class, she was the one who took much of the brunt of her male colleagues' criticism.<sup>181</sup> The night before the "weeding out" committee, twenty male students showed up at her boarding house and apologized for their personal attacks upon her and asked if she would help them to prepare for their quiz.<sup>182</sup> By the time that she graduated, her seemingly-adverse male colleagues were the ones who threw her the most graduation parties.<sup>183</sup> This story suggests why she may have gained so much support in her race as a Republican for the House of Delegates.<sup>184</sup>

In addition to her work in politics, Grace Gerber also appears to have been the most successful of the group in the traditional practice of law. Admitted in 1920, she established her own practice in her hometown of Hagerstown, a city in west-central Maryland in which she had grown up and her parents still lived. Although little is known about the nature of her practice, it was described in *The Tercentenary History of Maryland* as "pleasant and lucrative."<sup>185</sup> That same history acknowledges her struggles in reaching this modest level of success:

Exceptional ability alone was not enough to win success for this ambitious young woman. She was forced to use every atom of her determination, indomitable courage, and the strength of her forceful personality to secure even a hearing in a profession controlled by and filled with men. . . . That she has secured a hearing and broken down the walls of

prejudice means not only her personal triumph, but the entire cause of professional women.<sup>186</sup>

Although all of these women shared Grace Gerber's range of talents in their academic and professional pursuits, this brief history reveals their difficulty in obtaining legal employment. The limited opportunities and the fairly public struggles of these women may have discouraged most other women from pursuing the law during the two decades following Etta Maddox's admission in 1902. Any women who followed the newspaper accounts of Etta Maddox's efforts to gain admission to the Bar in the courts and through the Legislature—or Emily Doetsch's unsuccessful efforts to keep her job as Assistant City Solicitor, be appointed to the Juvenile Court Bench, or win an election to City Council—may have been deterred from joining the struggle. Fortunately for the many women who ultimately followed, these unusual eight pioneers endured and led the way.

## Conclusion

By 1920, when the last of the "first female wave" was admitted to the Bar in Maryland, every state Bar in the nation was admitting women, women were admitted to almost all law schools, and the number of female lawyers across the country "soared."<sup>187</sup> This exploration of the political and social conditions in Maryland that lead to the first group of women being admitted to the Maryland Bar provides some clues about both the barriers that delayed their admission in Maryland and the conditions that supported this first group. After the Civil War, Maryland, like many other states, struggled to adapt to a new economy, new demographic patterns, and a new political structure. But Maryland's position as a border state made its efforts to incorporate women and newly freed African Americans as full and equal citizens



*"Just Franchise League of Talbot Co. 'Votes For Women.'"*

*Date unknown.*

*Courtesy of the Talbot County Historical Society.*

particularly challenging. A substantial segment of the political power structure in Maryland reflected the values of its neighboring states to the south. This resulted in both a very traditional view of women's roles, which limited women to the domestic sphere, and a resistance to fully implementing the rights of equal citizenship for black males. These circumstances undermined the struggle for women's rights, including the right to vote and practice law. In addition, Baltimore, where most of the progressive politicians were concentrated, was underrepresented in the General Assembly during this period. Finally,

women had very limited access to legal education in Maryland until 1920.

Despite these barriers, the dawning of the Progressive Era in Maryland created conditions that finally facilitated the entry of women to the Bar. Most of the early admittees and other women who were active in Progressive-Era reforms came from families with the means to provide, first, for their education and, later, for the leisure time to allow the pursuit of volunteer work. When the Progressive Era's energy and its women-led causes spread to Maryland, most of these early admittees answered the call. They led organizations, like the Maryland suffrage movement, designed to advance the status of women and improve the lives of families and children. These experiences gave them a taste for the world of public service and ideas, and the Progressive Era's focus on law as the engine of change encouraged a focus on legal careers. With Etta Maddox achieving the initial victory of bar admission, she and most of her fellow female early admittees continued their work on behalf of women and families during their legal careers. Creating opportunities to practice law in Maryland during the early twentieth century was a struggle for these women, making their efforts and achievements all the more remarkable. Even those who gained admission but did not practice contributed as trailblazers and examples.

All of Maryland's women lawyers who followed these women, from those described in subsequent chapters of this book to those who will attend law school in future years, owe a significant debt to Maryland's "first wave." Their strong desire to serve the greater good, in addition to their intelligence, courage, and tenacity in the face of legal, social, and political obstacles, made possible the many achievements of the generations of women lawyers who followed them.